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*Counsel for Defendant Illuminate
Education, Inc. d/b/a Pupil Path*

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

*In re: Illuminate Education Data
Security Incident Litigation*

Case No. 8:22-cv-01164-JVS-ADS

The Honorable James V. Selna
Courtroom 10C

**DEFENDANT ILLUMINATE
EDUCATION, INC.'S NOTICE OF
MOTION AND MOTION TO
DISMISS THE CONSOLIDATED
COMPLAINT**

Hearing Date: October 23, 2023
Time: 1:30 PM
Courtroom: 10C

TO ALL THE PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on October 23, 2023, at 1:30 pm or as soon thereafter as the parties may be heard, in courtroom 10C of the United States District Court for the Central District of California, located at 411 West 4th Street, Santa Ana, California 92701 before the Honorable James V. Selna, defendant Illuminate Education, Inc. (“Illuminate”) will and hereby does move the Court for an Order dismissing the Consolidated Complaint, ECF No. 88, for lack of jurisdiction under Fed. R. Civ. P. 12(b)(1), and for failure to state a claim under Fed. R. Civ P. 12(b)(6). This motion is submitted pursuant to the court’s order of May 1, 2023, ECF No. 81.

The motion is based on upon this Notice of Motion and Motion, Memorandum in Support thereof, the Declaration of Devin S. Anderson filed in support of Illuminate’s Motion to Dismiss the Consolidated Complaint, the files and records in this action, and any and all other materials submitted to the Court on or before the time of its decision in this matter.

1 DATED: July 20, 2023

Respectfully submitted,

2 By: /s/ Devin S. Anderson

3 **KIRKLAND & ELLIS LLP**

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16 *Counsel for Defendant Illuminate*
17 *Education, Inc. d/b/a Pupil Path*

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will automatically send an e-mail notification of such filing to the attorneys of record who are registered CM/ECF users.

DATED: July 20, 2023

Respectfully submitted,

By: /s/ Devin S. Anderson

Devin S. Anderson

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